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10/755,604	01/12/2004	Douglas W. Orischak	650005.95556	9536

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EXAMINER
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COLETTA, LORI L

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 09/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/755,604

Applicant(s)

ORISCHAK ET AL.

Examiner

Lori L. Coletta

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 01122004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because: reference character “**39**” has been used to designate both the **horizontal extending base** [0025] and **floor** [0025].

reference character “**42**” has been used to designate both the **rack** [0028] and **ceiling** [0028].

Reference character “**46**” has been used to designate both the **front end** [0028] and **rear ends** [0028].

reference character “**140**” has been used to designate the **housing** [0041] and **tool head** [0041].

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because reference character “42” in Figure 12 needs to be changed to reference character --142--. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

Art Unit: 3612

Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

Reference character **51** [0031] is not shown in the Figures.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Art Unit: 3612

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

Reference characters 34 (Fig. 1), 36 (Fig. 1) and 129 (Fig. 11) are not mentioned in the description.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### *Specification*

5. The abstract of the disclosure is objected to because the language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc. Correction is required. See MPEP § 608.01(b).

#### *Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3612

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 3, 4 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dubuc 6,325,435 in view of Barco graphic systems.

Regarding claim 1, Dubuc '435 discloses a mobile studio, comprising a housing defining an enclosure, wherein the housing is supported by ground-engaging wheels, the enclosure retaining a table (131) carrying tools for performing cutting, wherein the studio is transportable via the ground-engaging wheels to a customer's locate to design and fabricate inside the enclosure a product on-site.

However, Dubuc '435 does not show a computer executing a stored program for designing the product pursuant to design instructions, and controlling the table to fabricate the designed product.

Barco graphic systems teaches a table carrying tools for performing at least one of cutting and scoring sheets of corrugated paperboard; and a computer executing a stored program for designing the product pursuant to design instructions and controlling the table to fabricate the designed product.

Regarding claim 1, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the mobile studio of Dubuc '435 with table carrying tools and a computer executing a stored program for designing the product pursuant to design instructions and controlling the table to fabricate the designed product, as taught by Bargo graphic systems, in order to provide a prototypical corrugated product on-site.

Art Unit: 3612

Regarding claim 3, Dubuc '435, as modified, discloses the mobile studio, wherein the housing further comprises a hitch operable for connection to a motorized vehicle (column 2, lines 3-6).

Regarding claim 4, Dubuc '435, as modified, discloses the mobile studio, wherein the enclosure further comprises shelving configured to store stock paperboard (column 11, lines 16-18).

Regarding claim 6, Dubuc '435, as modified, discloses the mobile studio, wherein the enclosure further comprises a table surface (131) that is moveable between a retracted position, whereby the table surface rests against the housing in a substantially vertical orientation, and an extended position, whereby the table extends horizontally away from the housing.

Regarding claim 7, Dubuc '435, as modified, discloses the mobile studio, wherein the table surface (131) by the housing via a first bracket assembly that is locked to retain the table surface in the retracted position, and unlocked to position the table surface in the extended position.

Regarding claim 8, Dubuc '435, as modified, discloses the mobile studio, wherein the table surface (131) is further supported by the housing via a second bracket assembly that is locked to retain the table surface in the extended position, and unlocked to position the table surface in the retracted position.

Regarding claim 9, Dubuc '425, as modified, discloses the mobile studio, wherein the enclosure extends in an elongated longitudinal direction and in a lateral direction, and wherein the computer is supported by articulated arms that travel in the longitudinal and lateral direction, and wherein the arms rotate with respect to a vertical direction.

Art Unit: 3612

Regarding claim 10, Dubuc '435, as modified, discloses the mobile studio, suitable for producing point-to-purchase displays and packaging.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dubuc 6,325,435 in view of Barco graphic systems as applied to claim 1 above, and further in view of Mostashari 5,106,141.

Regarding claim 2, Dubuc '435, as modified, discloses the mobile studio but does not shows wherein the enclosure further comprises communications device suitable for receiving the design instructions.

Mostashari '141 teaches communications device (telephone or fax machine) suitable for receiving the design instructions.

Regarding claim 2, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the mobile studio of Dubuc '435, as modified, with communications device, as taught by Mostashari '141, in order to provide means to receive the design instructions from the customers.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dubuc 6,325,435 in view of Barco graphic systems as applied to claim 4 above, and further in view of Schorr 4,159,831.

Regarding claim 5, Dubuc '435, as modified, discloses the mobile studio comprising shelving but does not show at least one manually disengageable that retains stock paperboard within the shelving.



Art Unit: 3612

Schorr '831 teaches shelves (12, 14, 16, 18 and 26) including a strap (37) in Figure 1.

Regarding claim 5, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the shelves of the mobile studio of Dubuc '435, as modified, with a strap, as taught by Schorr '831, in order to prevent the stock paperboard from falling out from between the shelves.

10. Claims 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dubuc 6,325,435 in view of Barco graphic systems and Mostashari 5,106,141.

Regarding claim 11, Dubuc '435 discloses a method of fabricating corrugated paperboard products for a customer, comprising the steps of transporting the mobile design unit to a customer location using a mobile design unit that includes a housing defining an enclosure that contains a table (131) for performing cutting.

However, Dubuc '435 does not show a computer executing a stored program to receive design instructions and control the cutting table pursuant to the design instructions; receiving design instructions from the customer; programming the table with the design instructions and operating the table inside the enclosure to produce a paperboard product pursuant to the design instructions.

Barco graphic systems teaches a table carrying tools for performing at least one of cutting and scoring sheets of corrugated paperboard; and a computer executing a stored program for designing the product pursuant to design instructions; and programming the table with the design instructions and operating the table to produce a paperboard product pursuant to the design instructions.

Mostashari '141 teaches communications device (telephone or fax machine) suitable for receiving the design instructions.

Regarding claim 11, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the mobile studio of Dubuc '435 with a table carrying tools for performing at least one of cutting and scoring sheets of corrugated paperboard; and a computer executing a stored program for designing the product pursuant to design instructions; and programming the table with the design instructions and operating the table to produce a paperboard product pursuant to the design instructions, as taught by Bargo graphic systems, in order to provide a prototypical corrugated product on-site.

Regarding claim 11, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the mobile studio of Dubuc '435, as modified, with communications device, as taught by Mostashari '141, in order to provide means to receive the design instructions from the customers.

Regarding claim 12, Dubuc '435, as twice modified, discloses the method, wherein further comprising programming a computer executing a stored program to control the table.

Regarding claim 13, Dubuc '435, as twice modified, discloses the method, further comprising the step of creating an initial product prior to step (A).

Regarding claim 14, Dubuc '435, as twice modified, discloses the method, wherein the design instructions receive in step (B) comprises modification instructions, wherein the product received in step (D) is different than the initial product.

Regarding claim 15, Dubuc '435, as twice modified, discloses the method, further comprising providing modification instructions to producer a second product different than the

Art Unit: 3612

product during step (D); programming the table with the modification instructions; and operating the table to produce a paperboard product pursuant to the modification instructions.

Regarding claim 16, Dubuc '435, as twice modified, discloses the method, further comprising producing final design instructions operable to create a suitable prototypical paperboard product.

Regarding claim 17, Dubuc '435, as twice modified, discloses the method, further comprising communicating the final design instructions to a paperboard product manufacturing plant.

Regarding claim 18, Dubuc '435, as twice modified, discloses the method, wherein step (E) further comprises producing a point-of-purchase display.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references show several other mobile studios similar to that of the current invention.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is (703) 306-4614. The examiner can normally be reached on Monday-Friday 6:00am-2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Lori L. Coletta*

Lori L. Coletta  
Primary Examiner  
Art Unit 3612

llc  
August 26, 2004